

Local Law # 4-1983
Town of Cobleskill
Schoharie County
New York

Relating to Streets or Highways

Adopted 06/13/83

The Town of Cobleskill acting through its duly constituted Town Board and pursuant to the authority conferred by law, resolves as follows:

SECTION 1. Purpose

The purpose of this law is to regulate the laying out of streets, thoroughfares and/or highways, and to outline the sequence of steps in conjunction with street construction and dedication in the Town of Cobleskill, Schoharie County, New York.

- (a) Wherever used in this law, the word “street” shall also be construed to mean a thoroughfare or highway.
- (b) Wherever used in this law, the words in the singular number include the plural and words in the plural numbers include the singular.
- (c) The word “shall” is mandatory and not directory. Words used in the present tense include the future.

SECTION 2. Extent of applicability of Town Highway Standards and Specifications; Residence Requirements

These standards, specifications and rules apply to all new road construction in the Town of Cobleskill which is in excess of four hundred feet (400) in length and will serve more than two (2) permanent dwellings, regardless of whether or not such roads are the subject of request for dedication by the Town. Before an existing, private road shall be considered for incorporation into the Town Highway System, there shall be at least three (3) permanent dwelling units on said road for at least twelve (12) consecutive months prior to the submission of a formal application.

SECTION 3. Application Procedure

- (a) Any application for the consideration of a private road for incorporation into the Town Highway System shall be submitted to the Town Planning Board for review. The Town Board or its designee shall make a formal inspection of the site, with the County Highway Superintendent, the Town Highway Superintendent and the Chairperson of the Town Planning Board. Said Town Planning Board shall, within sixty (60) days of receipt of a complete application, make recommendations to the Town Board for the disposition of the application. The Town Board shall within sixty (60) days of its receipt of the recommendations of the Town Planning Board, decide whether or not the Town shall include said proposed roadway into the Town Highway System. Written notification of the Town Board’s decision shall be sent to the applicant(s) within thirty (30) days of such decision.
- (b) The formal written application for consideration of any proposed additional roadway shall include the following:

1. Three (3) complete copies of application, letter, and supporting documents as described below: (one each to the Town Superintendent of Highways and the Town Planning Board.)
2. A proposed warranty deed, if possible, or a quit claim deed conveying said street to the Town with all necessary releases from mortgages or other claimants, together with a proper title search covering at least 30 years up to the time application is made, and also a tax search.
3. Name of proposed road.
4. Names of current landowners of property along said proposed road.
5. Reasons for requesting incorporation.
6. Map of road prepared and certified by a licensed professional engineer (licensed in New York State), or, in and only in conjunction with a land subdivision, by a licensed professional land surveyor (licensed in New York State) with evidence of his certification of competence to design roads appurtenant to subdivisions under Title B, Article 145, Section 57208, paragraph n. of the State Education Law of New York State, showing the road alignment, the length, radius, point of curve, and point of tangency of all horizontal and vertical curves along said roadway, the grades between all critical points both numerically and by profile drawing and any pertinent easements. Said map shall be of scale of one (1) inch equals fifty (50) feet maximum.
7. Drawings of road cross-sections, one for each different section used and references to the plan map.
8. In the case of an existing private road to be considered as a Town Highway, a description of the type of construction materials in the existing road, a measurement of grades, by section, a description of the condition of the road (including condition of soil base), any potential hazards along said road, existing land use(s) along the road, an estimation of the number of vehicles using said road, and compliance with the other requirements herein stated.
9. A location sketch showing the road location in the Town.
10. In the case of new road construction, application should include a description of construction materials to be used (developer must provide acceptable evidence of compliance with standards and specifications in Section 4 n and o with official reports from NYS approved materials testing laboratory or NYS licensed Engineer) and of existing land use(s) along the road, and an estimate of the number of vehicles which will use

the road, and shall demonstrate compliance with all other requirements herein stated.

SECTION 4. Standards and Specifications

- (a) Title must be conveyed to the Town by Warranty Deed, to a right of way not less sixty (60) feet in width along the entire length of said proposed additional Town roadway. Furthermore, in sections of the proposed road where physical conditions necessitate the construction of excavated or, filled roadbeds, grade backslopes, ditches, drainage structures, bridges, or other highway-related structures and where these said structures combine to form a total construction width greater than the aforesaid sixty (60) feet, then the right of way shall be of sufficient width to include said structures through those sections of the proposed road. All necessary or required easements from abutting property owners must also be arranged for and conveyed at no additional expense to the Town. The minimum length of roads under consideration for dedication as Town highways shall be 400 feet.
- (b) The right of way shall be completely cleared of all brush, scrub trees, shrubs, and stumps for its entire width and length.
- (c) The back slopes shall be graded. All necessary drainage ditches and structures including driveway crossings shall be installed, shall be of accepted design – in a structural, hydrologic, and hydraulic sense, and shall be of adequate size and length, as determined by the Town Highway Superintendent.
- (d) Culverts shall be installed where needed, properly installed and of acceptable material (corrugated steel culvert pipe or reinforced concrete culvert pipe, or equivalent, suitability as determined by the Town Highway Superintendent.) Minimum culvert size acceptable is fifteen (15) inches in diameter. Where culverts are required for driveway crossings the length shall be twenty (20) feet, and if in more than one section, culvert sections shall be joined by steel bands. The culverts shall be lower than the shoulder.
- (e) Roadbed shall be so located as to provide adequate room for ditching, grading and routine maintenance within right of way limits, as determined by the Town Highway Superintendent.
- (f) Roadbed shall be raised above grade.
- (g) Track and grades shall be such as to be easily and safely traveled by Town road machinery and snow plow equipment, as determined by the Town Highway Superintendent.
- (h) The maximum grade along any portion of the road shall be six (6) percent; at its discretion, the Town Board may allow up to ten (10) percent grades.

(i) Horizontal Curves

1. The minimum design speed for design of horizontal curves for Town Roads shall be thirty (30) miles per hour.
2. For horizontal curves where no superelevation is provided, the maximum permissible degree of curve along any section of the road shall be fifteen (15) degrees. (The Degree of Curve is defined as the central angle subtended by a one hundred (100) foot length of curve, along the arc. This is the arc definition of degree of curve and the following formula applies).

$$\text{Degree of Curve} = \frac{5,729.58}{\text{Radius of Curve}}$$

3. For horizontal curves where superelevation is provided, maximum permissible superelevation shall be 0.08 ft/ft.
4. For horizontal curves where superelevation is provided, the plans shall show the derivation of the particular design – superelevation, coefficient of friction and degree of curve – for each such curve. The following AASHO limits for coefficients of side friction apply:

Design Speed (mph)	20	30	40	50	60
Maximum Coefficients Of Side Friction	0.17	0.16	0.15	0.14	0.13

And the following is a relationship between maximum permissible degree curve (Dmax), design speed in mph (velocity, V), design maximum superelevation in feet per foot (e), and design maximum coefficient of friction (f):

$$D_{\text{max}} = \frac{85,950 (e + f)}{V^2}$$

5. Note from the above that the absolute maximum degree of curve allowed in the Town of Cobleskill with full maximum superelevation (.08 ft/ft) is twenty-three (23) degrees. The designer is urged to plan his roads such that curves will be as gradual as possible – far under this extreme limit – as far as is practical given site conditions.

- (j) No “dead end” roadways will be acceptable unless provided with an adequate turn around roadway with a minimum diameter at the outside of the roadbed, of one hundred (100) feet. The right of way diameter shall be a minimum of one hundred eight (108) feet.

- (k) Any required guide posts, guard rails, markers, signs, culvert headers, or similar safety items shall be properly installed, as determined by the Town Highway Superintendent.
- (l) Necessary bridges shall have a minimum capacity of fifteen (15) tons, and shall be constructed with a width at least four (4) feet wider than the roadbed, and with an absolute minimum width of twenty-four (24) feet.
- (m) A cross section will be required that conforms with the “Highway Cross Section – Town of Cobleskill” shown on the attached drawing, figure 1. Note that the roadbed shall not be less than eighteen (18) feet in width, with shoulders of not less than five (5) feet on each side exclusive of ditches. Also the roadbed shall be crowned at the rate of ¼ inch per foot (or 0.02083 ft/ft), as shown in those areas where superelevation does not exist.
- (n) Gravel sub-base courses where required by the Town and/or County Highway Superintendent after the 3rd inspection shall consist of material described in and laid and rolled in accordance with the following, and shall not be placed until the entire width of the right of way is graded in accordance with the Town typical cross section and until the 3rd inspection of the Town and/or County Highway Superintendents. (see Section 7 Inspection)

Materials. All granular material acceptable for gravel sub-base (“sub-base granular material”) shall be of sound, hard durable stone or blast furnace slag and shall meet the approval of the Town Highway Superintendent and/or County Highway Superintendent.

The particles shall not exceed such size as will pass through a 4 inch square hole; not less than thirty (30) percent by weight shall pass the ¼ inch square sieve; not more than seventy (70) percent by weight shall pass the No. 40 mesh sieve and not more than ten (10) percent by weight shall pass the No. 100 mesh sieve as determined by washing through the sieve, in accordance with ASTM Designation: D422. The particles retained on the ¼ inch square sieve shall have a loss, after four cycles of the Magnesium Sulfate Soundness Test, not exceeding thirty (30) percent by weight. The particles passing the No. 40 mesh sieve shall have a maximum Plasticity Index of 5. The source of material shall be stripped of all sod, topsoil, overburden, and other objectionable material before the excavation operations for the sub-base course granular material are started, and shall be kept stripped at a minimum of thirty (30) feet from the top of the working face of the pit at all times. The owner shall so select the source or sources and so regulate his excavating operations in the pit that suitable, acceptable material will be produced at all times.

Construction Details. Any materials shall be spread in such depths that the maximum thickness of any layer, after compaction, shall be twelve (12) inches.

Water shall be added in such amounts as the Town and/or County Highway Superintendents may consider necessary to obtain satisfactory compaction.

When the moisture content of the layer is within the limits for proper compaction, the entire surface shall be rolled with a pneumatic tired roller having an operating weight of between 1,000 and 2,500 pounds per tire, or a smooth steel wheel roller having a minimum weight of 10 tons. All portions of each layer shall be covered by a minimum of 8 passes of the roller.

For heavier, vibratory, or more efficient types of approved compaction equipment, the minimum number of passes required on all portions of each layer shall be determined by the Town and/or County Highway Superintendents. Compaction shall be continued until the course has been thoroughly compacted and shows no signs of weaving.

In limited areas where the use of a roller is impractical, approved vibrating plate compactors or impact rammers shall be used to compact the material.

Any depressions that develop during rolling shall be filled with “sub-base-granular material” and further rolled until the entire surface of the “sub-base-granular course” is true to grade and cross section. The finished surface of the “sub-base-granular material course” shall not extend above the true grade and surface for this course, at any location.

Should the subgrade soils become churned up into, or mixed with, the “sub-base-granular material course: through any course whatsoever the owner shall, at his own expense, remove such mixture of subgrade and replace with “sub-base-granular material”.

- (o) Gravel base course shall consist of material described in and laid and rolled in accordance with the following, and shall not be placed until the entire width of the right of way is graded in accordance with the Town typical cross section, and until the required courses of gravel sub-base have been laid, rolled and inspected by the Town and/or County Highway Superintendent. In all cases, the thickness of the gravel base course shall be twelve (12) inches after compaction.

Materials. All granular material acceptable for grave base shall be of sound, hard, durable stone, gravel, or blast furnace slag, well graded from coarse to fine. The particles shall not exceed such size as will pass through a 2 inch square hole, thirty (30) percent to sixty-five (65) percent, by weight, shall pass the ¼ inch square sieve, and not more than ten (10) percent, by weight, shall pass the No. 200 mesh sieve, as determined by washing through the sieve in accordance with ASTM Designation: D422, and shall be free from any organic or other deleterious materials.

The quality of the gravel, stone or slag particles shall be determined by the Magnesium Sulphate Soundness Test. The maximum percent loss at 4 cycles, by weight, shall be 20.

Evidence of the acceptability of the proposed material under these tests, in the form of written testing laboratory reports, shall be submitted to the Town and/or County Highway Superintendents before delivery of any materials to the site.

The source of the material shall be stripped of all sod, topsoil, over-burden and other objectionable material before the excavation operations for the materials are started, and shall be kept stripped at a minimum of thirty (30) feet from the top of the working face of the source at all times. Should, at any time during work and for any reason, the material fail to conform to the specified quality and gradation requirements, the owner shall, by the addition of selected acceptable material, and/or satisfactory manipulation, provide a material meeting the above requirements.

Placing. The spreading of any layer of this material shall be done with spreader equipment approved by the Town and/or County Highway Superintendents, and shall be spread to such thickness that the maximum depth of the layer, after compaction, will be six (6) inches. Spreading from piles dumped on the roadway will not be permitted. No segregation of large or fine particles will be allowed, but the material, as spread, shall be well graded, with no pockets of fine material. Water shall be added in such amounts as the Town and/or County Highway Superintendents may consider necessary to obtain satisfactory compaction.

When the moisture content of the layer is within the limits for proper compaction, the entire surface shall be rolled with a pneumatic tired roller, having an operating weight of between 1,000 and 2,500 pounds per tire, or a smooth steel wheel roller, having a minimum weight of 10 tons. Each portion of the layer shall be covered by a minimum of 6 passes of the roller, or to the satisfaction of the Town and/or County Highway Superintendents.

For heavier, vibratory or more efficient types of approved compaction equipment, the minimum number of passes required on all portions of each layer shall be determined by the Town and/or County Highway Superintendents. In limited areas, where the use of a roller is impractical, approved vibrating plate compactors or impact rammers shall be used to compact the material.

After compaction, the top surface of this course shall not extend above, nor more than $\frac{1}{4}$ inch below, true base course grade and surface at any location. The base course, at any locations, shall be compacted, finished and completed to the above tolerance, and approved by the Town and/or County Highway Superintendents before any succeeding course of pavement is placed at that location. Any depressions or holes shall be filled with approved coarse sand and the surface rerolled.

In all cases, this base course must be so thoroughly compacted that it will not weave under the roller.

No traffic, or hauling other than that necessary for bringing material for the next course, shall be permitted over this course. Should the subgrade soil, sub-base course granular material or any other material become churned up into, or mixed with this base course through any reason whatsoever, the owner shall, at his own expense, remove such mixtures and replace with select granular material acceptable for this Item.

The owner shall assume full responsibility for any contamination and/or degradation of any part of this course during construction and shall, at his own expense, remove any and all portions of this course which do not conform to the requirements of these specifications and replace these portions with specified material.

- (p) Pavement. A pavement shall be required consisting of a 1 ¾ inch layer of asphalt concrete base course plus a ¾ inch thick layer of asphalt concrete top course. The asphalt concrete shall be provided, mixed, and batched by a New York State Department of Transportation approved asphalt concrete plant according to “Section 400, Bituminous Pavements” of the Standard Specifications, Construction and Materials of the New York State Department of Transportation as of January 2, 1982. The asphalt concrete base course shall conform to all the requirements of New York State Department of Transportation Item 403.11 “Asphalt Concrete – Type 1 Base Course.” The asphalt concrete top course shall conform to all the requirements of New York State Department of Transportation Item 403.16 “Asphalt Concrete – Type 6 Top Course.”

SECTION 5. Site Preparation

Any grading of land, cutting of trees or clearing of brush, except for surveying purposes, prior to preliminary presentation of plans to the Planning Board is prohibited.

SECTION 6. Site Access

The following Inspections are required and must be made by the Superintendent of Town Highways and/or the County Highway Superintendent; it shall be the developer’s responsibility to notify the Superintendents of the readiness to proceed with each phase of the construction process so that spot checks on work in progress may be made by the Superintendents in addition to the scheduled inspections.

- (a) 1st Inspection upon completion of survey.
- (b) 2nd Inspection upon completion of the clearing of the right of way and the alignment stake-out.

- (c) 3rd Inspection upon completion of the rough grading and the installation of all structures but before the sub-base is laid (if required) and before the structures are backfilled.
- (d) 4th Inspection upon completion of placement of sub-base-granular material (if required) and structural backfilling.
- (e) 5th Inspection upon completion of placement of base course granular material and completion of structural backfilling.
- (f) 6th Inspection when the road is ready for pavement.
- (g) 7th Inspection upon completion of pavement, fine grading and seeding of slopes.

SECTION 7. Exceptions

Exceptions to any of the specifications herein will be considered upon recommendation of the Superintendent of Town Highways, and a majority of the Town Planning Board for the granting of a variance from said specifications by the Town Board. Any such variances granted shall be specifically set forth in the decision of the Town Board regarding the disposition of said application.

SECTION 8. Right of Refusal

If, in the opinion of the Town Superintendent of Highways and/or the Town Planning Board, the proposed streets or highways and drainage systems constructed by the owners and/or developers are completed in accordance with approved plans, the Town Superintendent of Highways and the Town Planning Board will recommend to the Town Board that the streets be accepted within thirty (30) days. The Town Board may refuse to accept a proposed street or highway, notwithstanding that it conforms to all of the provisions of this ordinance, if, in its judgment, the public interest will best be served by such refusal of acceptance, and subject to such conditions as the Town Board may propose.

SECTION 9. Roads for Subdivisions

For roads which are part of a land subdivision, please note that additional requirements are included in the town subdivision law, copies of which are available at the Town of Cobleskill Town Clerk's office in the Cobleskill Public Building on Union Street, Cobleskill, New York 12043.

SECTION 10. Incorporation

If the Town Board acts to incorporate the proposed roadway into the Town Highway System, notification of such decisions shall be given to the New York State Department

of Transportation, accompanied by the appropriate maps, for official inclusion as part of the Town Highway System.

SECTION 11. Dedication

Dedication of any proposed roadway shall conform to the provisions of the New York Highway Law.

SECTION 12. Rescindment of all previous regulations pertaining to Town Highways

All previous regulations or resolutions are hereby rescinded.

SECTION 13. Separate Validity

If any part or provision of this law is adjudged invalid or unconstitutional by any court of competent jurisdiction, such judgment shall be confined in its effect to the part, provision or application directly involved and shall not affect or impair the validity of the remainder of this law.

SECTION 14. Title of Resolution

This Resolution shall be known and may be cited as “The Street or Highway Resolution” of the Town of Cobleskill.

TOWN OF COBLESKILL

FLOW CHART
OF
APPLICATION AND CONSTRUCTION PROCEDURE
FOR
DEDICATION OF NEW ROADS
TO
TOWN OF COBLESKILL

